

What to Do If You're In Danger of Getting Fired or Laid Off

What to Do if an Employment Termination Looms

By [Susan M. Heathfield](#)

Worried about potential employment termination? These are the next steps. Here's how to predict potential [employment termination](#)¹ and the first steps to take in preparation.

- **Tend your work station and electronic equipment.** Whether you work in an office, a cubicle, or on the factory floor, pay attention to your work area. Is the number of personal items you would need to remove in the event of employment termination easily doable? Do you have backup copies of personal items on your home computer or non-work laptop?

In fact, remove non-work related material from your company-owned equipment which you will need to return immediately in the event of employment termination. Take home any personal files that you may have been storing at work. Backup your phone book and contacts from both your computer and your cell phone at home.

Remove any records relating to taxes such as travel expenses and mileage. Finally, your employer owns the work you have produced while employed, so you won't want to use the same material at a new employer. But, you may want to take home copies of work you can use as samples in your next employment.

Depending on whether you have a non-compete agreement, and the other particulars of your employment and separation, the samples will save you time developing from scratch. You wouldn't want to lose all the effort you just invested in writing an employee handbook or a cost justification for a major equipment purchase. (Do be careful about how a sudden flurry of emails to your home email address will look to an employer from whom you need a positive reference.) Remember, your employer owns your work email, too. Another employee is likely to monitor your email account for a period of time so the company doesn't miss calls or customers.

- If you expect your employment termination will be for performance, maintain a copy outside of work of all [documentation](#)² relating to your performance. Keep copies of any action plans created during coaching sessions and any other written documents you receive including performance evaluations.

If you are not receiving regular feedback about your progress, you may want to go on record for requesting feedback by emailing your supervisor and HR staff, if involved, to request a periodic feedback meeting. In any case, maintain your own documentation with a timeline of the series of events that led to your employment termination.

You may also want to speak to an attorney if you believe your potential employment termination is not justified.

- **Prepare to negotiate your severance package.** In the event of an employment termination, your employer is likely to offer you severance pay. Whether the termination is for cause or a layoff, expect that the employer will require, in return, that you sign a statement that gives away your right to sue them for any reason as a result of your employment termination.

In all cases, take the document home, for the length of time required of your employer by law, and think about signing away your rights for a few weeks pay. Perhaps consult an attorney, but never sign such a document on the spot, at the moment of employment termination.

While it's tough to think strategically at the moment of employment termination, you have nothing to lose once you have heard your employer's offer. These items, depending on company past practices, the number of employees involved in the layoff, and other variables, may be negotiable:

- the amount of severance pay,
- the length of time benefits such as [health insurance](#)³ remain in effect,
- how the employment termination is recorded in your personnel file (layoff vs. fired as an example),
- how the employment termination will be characterized by Human Resources when potential employers call for a reference, and
- how much the employer is willing to pay for [outplacement](#)⁴ services to help you move to your next job.

More Thoughts About Severance Negotiation

"Don't walk out the door as if there are no options for you. Ask for ways to extend your transition and reposition yourself for your next job," says Amy Dorn Kopelan, co-author of *I Didn't See It Coming* ([compare prices](#))⁵ and the co-creator of *TheGuruNation.com*, a knowledge network for professionals and entrepreneurs who want to take control of their careers. Here are six ways to negotiate after being laid off:

- "Trade your vacation time for more weeks on the job in your paid position.
- Take half your pay. Some find it better to still have a place to work every day.
- Hold a meeting with the team still in place. Provide your counsel and guidance before you exit.
- Ask for a letter of praise and recommendation from your senior manager before you leave your position.
- Offer to do project work. The company doesn't have to cover your medical benefits and that's a plus.
- Raise your hand to train or help consolidate. You have insider knowledge that may be of service."

Conclusion About Severance Negotiation

Employment termination is never pleasant. But, if you pay attention to your work environment, prepare for a potential employment termination on the [personal as well as the professional](#)⁶ sides of your life, keep your groundwork for a job search active, and negotiate your severance, you will mitigate the downside.

What Happens Next After Employment Termination

When you experience employment termination, your best tactic is to [begin actively pursuing your new job](#)⁷. Do apply for [unemployment compensation](#)⁸, no matter what your employer told you; even when an employment termination was for cause, employers rarely keep former employees from collecting unless the cause of termination was egregious. Within a few weeks, you will receive a letter offering you [COBRA](#)⁹ to continue your health insurance which I recommend.

Your former employer may send you a statement that tells you what they owe you in terms of vacation pay and other benefits, summarizes the agreement you negotiated, and anything else you need to know at employment termination such as rolling your 401(k) contributions to a new plan.

Be aware of [potential employment termination](#)¹⁰.

This About.com page has been optimized for print. To view this page in its original form, please visit:

http://humanresources.about.com/od/whenemploymenttends/a/employ_term_2.htm

©2014 About.com, Inc. All rights reserved.

Links in this article:

1. http://humanresources.about.com/od/whenemploymenttends/a/employ_term.htm
2. <http://humanresources.about.com/od/glossaryd/g/documentation.htm>
3. <http://humanresources.about.com/od/glossaryh/g/health-insurance.htm>
4. <http://humanresources.about.com/od/layoffs-downsizing-strategies/a/outplacement.htm>
5. <http://erdk.about.com/?zi=3/2rXI>
6. http://frugalliving.about.com/od/moneymanagement/tp/How_to_Prepare_for_a_Layoff.htm
7. <http://jobsearch.about.com/od/unemployment/a/layoff.htm>
8. <http://humanresources.about.com/od/glossaryu/g/unemployment.htm>
9. <http://humanresources.about.com/od/glossaryc/g/cobra.htm>
10. http://humanresources.about.com/od/whenemploymenttends/a/employ_term.htm